

February 15, 1974

advanced but at the same time, there's nothing at all wrong and advisable to take a little closer look at some of these things.

SENATOR CARPENTER: Well, I want that to happen. I asked again it be passed over.

PRESIDENT: Senator Carpenter asking for LB647 to be passed over. Now, are there any objections? Hearing none, so ordered. Pass over LB647.

CLERK: Read LB732. There are no committee amendments, other amendments, nothing pending.

PRESIDENT: Senator Luedtke.

SENATOR LUEDTKE: Mr. President, I move that LB732 be advanced to E & R for review. Mr. President and members of the Legislature, this is a Judiciary Committee bill requested by Presiding Judge, Ben Novicoff of the Workmen's Compensation Court. What it does, it eliminates the necessity of stringing out the payments, the workmen's compensation contingency fee recovery payments to lawyers. For example, if a workmen's compensation court allows a recovery and a contingency fee to a lawyer over a number of years, the payments to the attorney are stretched out over a number of years. In other words, it may be just a little bit every week or every month. As a result of this, the practical effect is that attorneys try to talk their clients many times into lump sum settlements. That is, they take the entire amount at one time, which can be bad, because some people, when they get that much money, will spend it on foolish things or make certain expenditures on the spot. If it were spread out over a number of years, the workmen's compensation recovery to the beneficiary would be better utilized. So the intent of this is to allow the court to have a lump sum payment of the attorney's fee at the time notwithstanding the fact that the payments could be made to the beneficiary under workmen's comp over a number of months or years.

PRESIDENT: Is there any further discussion of the bill? The question is then, shall LB732 be advanced from General File to E & R initial. All those in favor of advancing the bill, vote aye. Those opposed, vote no. You're voting on the advancement of LB732 from General File to E & R initial as explained by Senator Luedtke. Have you all voted? Thank you. Clerk will record.

CLERK: 25 ayes.

PRESIDENT: The bill is advanced.

CLERK: Mr. President, we assume you want to go to that list now. Read LB813. There are committee amendments by Senator Warner's Education Committee.

PRESIDENT: Stand by, Senator Warner, while you're pulling that one up. The Chair would like to advise the Body now that it is 11:30 and therefore we're going now by what was requested of the Body. That is a list of bills that are being lifted out of these that are supposedly non-controversial. If you'll listen carefully, I'll give you the list the way we expect them to come up now. First one, the list of bills to be considered from here on till noon would be LB813, Senator Simpson. Then we have Senator Whitney's LB925, 925A. Then, Senator Duis' LB604, then Senator Chamber's LB811, Senator Mahoney's LB779. The next one would be LB790 by Cal Carsten. Then LB721 by Senator Wiltse. Did you get them all? Okay. Then we're back to Senator Warner for the committee amendments to LB813.